

She received numerous awards for her work, most notably the Shining Example Award from Proctor & Gamble in 1998, an American Image Award from the AAFA in 2003, and the American Cancer Society named her Mother of the Year in 2005.

Dana, the person, was a tireless advocate for people with spinal cord injuries. For me personally, she and Chris will forever be the shining lights in the great national debate for advancing medical research.

It is with sadness that I stand before this body, more than 9 months after the historic vote in the House to expand Federally funded embryonic stem cell research, and still there has been no vote in the Senate.

With each day that passes the research that could one day lead to cures and treatments for millions of Americans with deadly and debilitating diseases is being held up.

It is incomprehensible to me that we have a bill, which has already passed the House, that may help millions of Americans but instead is just sitting, languishing in the Senate despite some overtures or promises that it would be taken up by this body.

It is time for the Senate to do exactly what the House did. It is time for the Senate to take up and pass the Stem Cell Research Enhancement Act, the Castle-DeGette bill, with no amendments and no alternatives. I believe we have the votes to pass this bill today and send it to the President.

I want to take a moment to acknowledge Dana's last struggle, her battle against cancer. This terrible disease is a very personal one for me. I have lost many loved ones to it. The elimination of death and suffering due to cancer has been one of my highest priorities since coming to the Senate.

Dana died of lung cancer and, as many of you have read in the papers, Dana was a non-smoker. I believe she had stage one metastatic lung cancer. In fact, over 60 percent of new lung cancers are diagnosed in people who never smoked or who managed to quit smoking even decades ago.

While cigarette smoking is by far the most important risk factor for lung cancer, many other factors play a role.

Lung cancer remains the deadliest form of cancer. In 2006, it will account for more than 162,000 cancer deaths, or about 29 percent of all cancer deaths. Since 1987, more women have died each year of lung cancer than from breast cancer.

Screening for lung cancer is years behind screening for other cancers, which means that when it is diagnosed, the disease is often already in its late stages, which is what I suspect happened to Dana Reeve.

The 5-year survival rate for all stages of lung cancer is only 15 percent. Compare this to the overall 5-year survival rate of 65 percent for all cancers diagnosed between 1995 and 2001.

Clearly we can and must do better. Increased NIH research for lung cancer is essential and we must press for better screening tools for lung cancer. I plan to address both of these issues in

comprehensive cancer legislation I plan to introduce shortly.

In closing, it is my sincere hope that the love Dana and Chris shared for each other will reunite them wherever their journeys take them from here. Dana left us far too soon—in her mid-40s—but she left us with her fighting spirit and the will to push forward so that one day we may find treatments and cures for those living with spinal cord injuries and other disabling conditions.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. Will the Senator withdraw his suggestion of an absence of a quorum?

Mr. HARKIN. Yes. I yield the floor.

#### RECESS

The PRESIDING OFFICER. In my capacity as a Senator from the State of North Carolina, I ask unanimous consent that the Senate stand in recess until 2:15 p.m. to accommodate the weekly party lunches and that the time will be counted postcloture.

There being no objection, the Senate, at 12:24 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. ISAKSON).

#### MAKING AVAILABLE FUNDS FOR THE LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM, 2006—Continued

Mr. MARTINEZ. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DAYTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DAYTON. I ask unanimous consent to speak as in morning business for 10 minutes with the time charged against my hour under cloture.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### KIRBY PUCKETT

Mr. DAYTON. Mr. President, I rise today to note with sorrow the passing of one of Minnesota's greatest sports heroes, Kirby Puckett, who suffered a stroke on Sunday and died yesterday at the age of 45. Kirby Puckett was born and raised in Chicago, but he became a Minnesotan when he was drafted at the age of 22 by the Minnesota Twins.

After two seasons in the minor leagues, he played his first major league game for the Twins on May 8, 1984, where he became the ninth player in baseball history to get four hits in his first game. Three years later, he appeared in the first of eight consecutive All Star games during which time he also won the American League's Most Valuable Player honors and Most Valuable Player in the American League championship series.

When his great career was cut short by blurred vision caused by glaucoma

in 1996, he sported a lifetime major league batting average of .318 with 2,304 hits, 207 home runs, and 1,085 runs batted in in 1,783 games. But even those extraordinary statistics comprise only part of Kirby Puckett's greatness. He played baseball with an enthusiasm, a devotion, and an excitement that was thrilling to watch. Whether at bat or in center field, where he was a Golden Glove outfielder, he brought Twins fans out of their seats with spectacular game-winning plays.

No Minnesota Twins fan old enough to remember our team's two world championships will ever forget Kirby Puckett. In 1987, with the Twins trailing the St. Louis Cardinals three games to two, Kirby tied World Series records by reaching base five times and scoring four runs to lead the Twins to victory in game No. 6. The next night the Twins won game 7 to win their first world championship and a Minnesota team's first professional world championship in almost 30 years.

Four years later in another World Series game 6 with the Twins, this time playing the Atlanta Braves three games to two, Kirby Puckett was unbelievably even more spectacular than before. His over-the-wall catch saved the game-winning Braves home run and sent the game into extra innings which he then won with a home run in the bottom of the 11th inning. The next night the Twins won another game 7 and another World Series.

During those years, Kirby Puckett was a wonderful representative of the Minnesota Twins and Major League Baseball. He hosted celebrity events for local charities, made countless appearances for others, signed endless autographs, all with his infectious Kirby Puckett smile. Andy MacPhail, now president of the Chicago Cubs, and general manager of the Twins during those World Series years, said yesterday:

Kirby Puckett was probably the greatest teammate I've ever been around. You always felt better when you were around Kirby. He just had that way about him.

The years following his retirement from baseball stardom were more difficult ones with his sterling reputation tarnished by marital discord and other public incidents. When his contract as executive vice president for the Twins expired at the end of 2002, Kirby Puckett retired from baseball and later moved to Scottsdale, AZ where he passed away. He is survived by his two children Catherine and Kirby, Jr. and his fiancé Jodi Olson, to whom I extend my deepest condolences.

The Kirby Puckett I will remember, as will a generation of Minnesota Twins fans young and old, will always be wearing a Minnesota Twins uniform, No. 34, leaping for flyballs, racing around the bases, making his greatest plays in the most important games, and doing so with a zest for the game and for life that was unmistakable and unforgettable.

Thank you, Kirby, for those treasured moments, now forever our memories. Thank you, Kirby. May you rest in peace.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KERRY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KERRY. Mr. President, I ask unanimous consent that I be permitted to proceed for 10 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### TRIBUTE TO DANA REEVE

Mr. KERRY. Mr. President, today, we learned of the unbelievably tragic passing of a remarkably courageous, strong, and dedicated woman, Dana Reeve. Most Americans knew Dana as the wife of Christopher Reeve, and most Americans knew Christopher as Superman and, as this unbelievable figure, capable of overcoming so many obstacles.

I think the whole Nation was shocked and touched when they learned that Dana, not too long after the loss of Chris, herself was battling lung cancer. She was always ebullient and strong in that effort. At times, she was filled with doubt about her kids and the future, as anyone would be, but always unbelievably courageous. She was a passionate advocate after Chris passed away, and even before. She was, herself, an accomplished actress and singer, appearing off Broadway and on Broadway. She was, above all, a loving mother and a stunningly supportive and nurturing wife.

Through her very selfless effort to be part of Chris's life in gigantic ways, bigger than most people could describe, after his accident, she became an inspiration to millions of Americans. This is no way for anybody who was touched by that family to adequately express our shock and our sorrow to her immediate family—to Will, age 13, and her stepchildren, Matthew and Alexandra, and to her friends, who were with her until the end.

Dana was always a crusader, but with Chris's accident, she became an even more tireless, passionate crusader for the particular promise of medical research into stem cell treatments. After Chris's paralysis, she and Chris together created the Christopher Reeve Foundation, which has raised and distributed over \$55 million in research grants, much of it aimed at speeding the development of stem cell treatments.

I can remember visiting Chris at his home in New York. He had this elaborate exercise setup, which he went through, I think, almost every day, or whenever possible, always keeping his muscles as alive and growing as possible under the circumstances, with the

belief that he was going to walk again. Dana believed in him and she believed in that possibility. Together with Chris she was deeply involved in the fight for increases in medical research funding, and she was an active advocate for the rights of the disabled.

Many of my colleagues in the Senate had the opportunity to get to know her or talk with both she and Chris in the course of that advocacy. After Chris's death in 2004, Dana courageously kept up the battle to advance medical research. She became the chairwoman of the foundation, picking up where Chris had left off. She was responsible for developing the foundation's Christopher and Dana Reeve Paralysis Resource Center and for a program that has now distributed more than \$8 million for projects that improved the daily lives of people with paralysis.

In October of 2004, I was particularly honored and moved to be joined by Dana on the campaign trail in Ohio. I cannot tell you how incredible it was that within 2 weeks of Chris passing away—less than 2 weeks—Dana took the time, found the strength and courage and the sense of purpose somewhere, which she described to me as coming directly from Chris himself, to come out on the trail and fight for what he had been fighting.

I will never forget the grace and the strength that she showed that day, and even a glow that she exuded in her love for Chris and her passion about the issue.

Let me share, if I may, a few of the words that she spoke that day which I found so moving, but I also find important for all of us to focus on today. She said:

Chris struggled for 9½ years, but it was essential to him that every day bring some kind of forward progress, either personally or globally. Despite the enormous challenges he faced each morning, he awoke with focused determination and a remarkable zest for life. Chris was able to keep going because he had the support of his loved ones, a dedicated nursing staff, the belief of his fans, and members of the disabled community, and because he had hope—hope that one day science would restore some of his function. Chris actively participated in clinical trials. He was on a strict exercise regimen and was recently in a clinical trial right here in Ohio to breathe on his own. Chris could breathe off his ventilator for hours at a time, thanks to science, and scientists taking bold steps.

Chris understood that all journeys begin with a single step, and to take that first step one needs hope. His vision of walking again, his belief that he would reach this goal for himself and others in his lifetime was essential to the way that he conducted his life.

Dana went on to describe that while Chris led the crusade for research, she in turn put her energy into improving the quality of life for people who were living with diseases, inspired by individuals who could still benefit from research. She talked about how right there in Ohio, where we stood that day, the Christopher Reeve Paralysis Foundation had funded a number of items that kept people healthy and active despite the challenge of living with a dis-

ability. She did all of this because both she and Chris imagined living in a world where politics would never get in the way of hope.

Dana shared that vision and she worked tirelessly to help achieve it. Today, the whole country will again remember this couple. They will remember them together and their dedication to furthering stem cell research. Here in the Senate, we have an opportunity to honor their memories and that work by fighting to advance stem cell research. We can do it. Mindful of all the ethical considerations that we understand, there is a way to do it and to respect life. We have the opportunity to take the steps that Dana and Chris would have been so thrilled to see, worked so hard to achieve, to finally see a stem cell bill passed through the Senate.

In the end, none of their efforts, nor their lives were about policy. It was about hope and it was about values. It is about honoring their lives now that we should set about that task. They shared an unquenchable belief in the genius of America when we put our minds to it. They drew strength from the talent and dedication of the scientists they met and, in turn, they inspired them to go out and do even more. Chris stunned doctors by regaining some sensation in over 70 percent of his body and moving most of his joints, which people said he would never do. He did that because of science.

Dana and Chris never lost faith that America and American science was the greatest hope for humanity. That is a faith that all of us should share for Chris and Dana and the millions of people who believe in the possibilities of this remarkable time and our remarkable country. A lot of people ask, How can we do that? The answer is simple. How can we commit ourselves to anything less?

So to Will, Matthew, Alexandra, and Dana and Chris's friends and families, colleagues and supporters, I say the best thing we can do to complete their journey is by doing our best in ours. If we do that, we will give even greater meaning to two remarkable lives.

I yield the floor.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. ENSIGN). Without objection, it is so ordered.

#### FOREIGN TRADE AND NATIONAL SECURITY

Mr. DORGAN. Mr. President, in news reports last evening and this morning there was a suggestion that some sort of deal was being reached in the Congress, between the Congress and the administration, on the issue of the Dubai

Ports World Company managing six of America's large seaports. Let me point out there is no deal that I am aware of, but if there is a deal, it is being made by people who have not consulted many of us in the Congress.

In any event, I think this proposal still lacks basic common sense. I want to speak about it for a couple of minutes.

In the Wall Street Journal, the Secretary of Homeland Security, Mr. Chertoff, says: "U.S. ports takeover"—again, by the Dubai Ports World, the United Arab Emirates-owned company—the head of our Homeland Security Chertoff says: "U.S. ports takeover would tighten grip on security."

So he actually makes the case, the head of our Homeland Security agency, that allowing the management or the takeover of our six major port facilities, seaport facilities, would strengthen America's security. That is an unbelievable statement. I will describe why he says it. He said:

Assuming the deal would go through, we intend to have a deep look into their practices, certainly in the U.S. ports.

That is a direct quote. That is almost unbelievable. So they apparently haven't had a deep look into their practices before the deal goes through. This is a circumstance where most of the American citizens understand what is being proposed and very strongly react to it in opposition.

This country is the subject of many terrorist threats. We understand that terrorists from around the world want to strike inside this country. We have all this security in this country—some judged to be quite good, some very deficient. Go to an airport and see what happens when you want to board an airplane. You are going to have to go to a line and you are likely to have to take off your shoes and you are probably going to have to take off your belt and wristwatch and then they are wandering some little 6-year-old boy, spread eagle against a wall someplace because he set off the buzzer. So all of that happens before you get on an airplane. Why? Because airport security is very important.

So is seaport security. We don't have seaports in my home State, but we are recipients of those containers that come on ships into our seaports. Somewhere between 5.7 million and 5.9 million containers a year come into our seaports at 5 or 6 miles an hour to go into the dock where those containers are lifted off by that crane and trucked off all across the country. All of us are recipients of what is coming into our seaports.

Seaport security, frankly, is miserable; 5.7 to 5.9 million containers come into this country and 4 to 5 percent is inspected, all the rest is not inspected, and we believe somehow we are protecting our country?

You will recall shortly after 9/11, there was a fellow from the Middle East, from Egypt I believe, who decided to put himself in a container, get it

nailed up and put on a container ship, shipping himself to Canada. He had all the amenities you would need to travel in a container: he had a cot, a GPS locator, a radio, apparently, and a heater. He was in a container on a ship. He was a fellow they thought to be a terrorist shipping himself into Canada in a container for the purpose of coming into the United States.

So seaport security is critically important. We have had vote after vote in the Senate to improve seaport security but the majority doesn't want to spend the money to do that.

Now, with respect to the issue of seaport security, we are told that a United Arab Emirates wholly owned company called Dubai Ports World has been approved by something called CFIUS, one of those God-awful acronyms, the Committee on Foreign Investment in the United States. They have approved the takeover and management, which would include security, by the way, of ports, six major seaports in this country, including New York and New Jersey and Baltimore and New Orleans, and so on.

CFIUS, which is 16 or 18 of the agencies of the current administration getting together, said they think this will be just fine, so they approved it. They approved it without even the 45-day extension you would normally have if someone expressed some concerns about it.

Now Mr. Chertoff, the head of Homeland Security, says our security will actually be better if the United Arab Emirates company takes over our ports. Chertoff says, "U.S. ports takeover would tighten grip on security."

I don't know. Maybe he's not drinking the same water most Americans are drinking. I don't know how you come to this conclusion. Allowing a United Arab Emirates company to manage our ports is going to manage and improve our security? I don't think so. That doesn't make any sense.

Let me describe the United Arab Emirates. I will do it in terms that do not suggest this is a bad country. That is not my point, although I must say that two of the hijackers who attacked this country on 9/11/2001 came from the United Arab Emirates, a substantial portion of the financing for those terrorist attacks came through the financial institutions of the United Arab Emirates, Dr. Kahn from Pakistan, who was moving nuclear materials and nuclear knowledge and knowhow around the world, did that through the UAE ports. There are serious questions to be asked.

But let me make another point; that is, the relationship of the United Arab Emirates to Osama bin Laden. The 9/11 report described a circumstance in which we had discovered, in 1999, where Osama bin Laden was at that time and our country was attempting to target Osama bin Laden. This is in early 1999. The CIA learned that Osama bin Laden could be found at a camp in the Afghan desert, and the U.S. military began to

plan a strike against that camp. But the strike was called off because Osama bin Laden was apparently being visited by members of the royal family of the United Arab Emirates.

In fact, let me read to you from the 9/11 Commission report. You will find this in the booklet published by the 9/11 Commission:

No strike was launched.

This is the strike against Osama bin Laden whom our Intelligence Committee said they had discovered. They knew where he was.

No strike was launched. . . . According to the CIA and defense officials, policymakers were concerned about the danger that a strike would kill an Emirati prince or other senior officials who may be with bin Laden.

That is on page 138 of the 9/11 report, the former CIA Director George Tenet explaining why an attack against Osama bin Laden at a Afghan camp was called off said:

You might have wiped out half of the royal family in the United Arab Emirates in the process, which I'm sure entered into everyone's calculation in all of this.

The administration says the UAE has been helpful to our country in the fight against terrorism. If they have, and there is some evidence they have since 9/11, then this company appreciates that. But that appreciation, in my judgment, should not and will not extend to inviting the United Arab Emirates-owned company to manage America's seaports. It just defies common sense.

The administration says: What about offending the United Arab Emirates by saying no? We would offend this country by saying no? What about offending common sense by saying yes? Most of the American people understand. They understand if you are going to have security in this country, security includes the United States deciding to provide security at its seaports. The United States can't manage its seaports? I don't understand that.

I was interested in a piece yesterday in the Washington Post by Sebastian Mallaby. I don't know Sebastian Mallaby, but he is a pretty good reflection of those who are pushing this issue, saying that those who oppose having the United Arab Emirates company manage our seaports are demagogues. He said:

The demagogues are poised to strike again.

He said:

If demagogues can turn a tiny ally such as Dubai into a villain, you can bet they will do that with China.

He's talking about China trade.

The Dems will next play the China card.

One of the things he points out, he says we have a trade deficit with China. He doesn't seem to care much about that. But he says if we are going to get serious about dealing with the trade deficit, we need to get serious about balancing the Federal budget. This person must have missed Economics 101. We did balance the trade deficit under the final years of the Clinton administration and the deficit continued

to rise. We keep hearing these folks say the reason we have a trade deficit is because we have a fiscal policy budget deficit, which is not true. We actually created a surplus here before President Bush took over, and the trade deficit continued to rise. Now we have the highest trade deficit in history and a substantial portion of that trade deficit is with the Chinese.

It is interesting to me, all of these columnists, of course, tend to be apologists for public policies that don't work. But to suggest that somehow those who stand and oppose the management of American ports by a United Arab Emirates company are demagogues is elitist and it is wrong.

The so-called group called CFIUS, which, by the way, almost turns down nothing. They have reviewed lots and lots of proposals, and they have approved them all, virtually. I think they disapproved eight of them out of many proposals. But the Coast Guard had written a classified memo to CFIUS—on February 27 that was disclosed publicly by Senator COLLINS, I believe, at the hearing. The report said the following:

There are many intelligence gaps concerning the potential for the UAE company's assets to support terrorist operations and that precludes an overall threat assessment on the potential DPW and P&O Ports merger.

In fact, the Coast Guard restored a large number of potential vulnerabilities. That is directly from the Coast Guard's memorandum.

One of the so-called intelligence gaps that the Coast Guard referred to was that no one had checked the backgrounds of the people in charge of the UAE company that would manage our ports. So when the Coast Guard's secret report was made public, the administration said the Coast Guard ought to say something pleasant. So the Coast Guard came out and issued a statement the next day saying:

Upon subsequent and further review, the Coast Guard and the entire CFIUS panel believe the transaction, when taking into account strong security assurances by DP World, does not compromise American security.

Interesting—the Coast Guard statement doesn't say anybody had checked out the backgrounds of the officials at the UAE company. That is what their secret memo had said represented the vulnerability. But the highest ranking official in the Department of Homeland Security, who was part of this group and who reviewed this port deal, said this:

The CFIUS review did not include background checks on the senior managers of the company.

It is quite clear the Coast Guard, in a classified memorandum, expressed concerns about the terrorist threat, about vulnerabilities as a result of the takeover of American ports by a UAE-owned company and then the Coast Guard, when the classified memo became public, was ordered—the Coast

Guard, of course, works for the President, the Coast Guard said something softer, but the Department of Homeland Security's ranking official, Stewart Baker, quite clearly said:

The CFIUS review did not include background checks on the senior managers.

This is a fascinating description of trying to put a patch on a hole that is too big. None of this adds up very much.

I do want to make another point. This is about offshoring and outsourcing, and so on. The question is, Why would we be contracting with a foreign government, essentially—through a foreign company they wholly own—to manage our ports? This is the new global economy, we are told. If you don't get it, you are an isolationist, xenophobic stooge who can't figure it out. This is all part of the global economy.

President Bush went to India last week. If you are asking the question: How is it that the management of American seaports should be done by the United Arab Emirates company and you don't understand it, you won't understand what the President said last week in India either. What the President said in India, in several speeches, was you need to understand this global economy of ours. He said things have changed. This is about outsourcing of jobs.

I have some quotes from the President. The President says, about globalization: I guess generally outsourcing—you know outsourcing is not bad. People do lose jobs as a result of globalization, and it's painful to those who lose jobs, but the fundamental question is how does a government or society react to that? One of two ways. One is to say losing jobs is painful, therefore let's throw up the protectionist walls and the other is to say losing jobs is painful so let's make sure people are educated so they can find or fill the jobs of the 21st century.

I have news for the President. Those 21st century jobs for educated Americans—he was visiting them in India. He was looking at them. He's looking at the engineers who are now working at jobs American engineers used to have. Why did those engineering jobs go to India? Because you can hire an engineer in India for one-fifth the cost of an American engineer. So the solution is not to say let's have an American lose his or her job and then get better educated. How better educated than going to school to get a degree in engineering and then losing it to somebody in the country of India who is able to work for one-fifth the price?

So he said:

You don't retrench and pull back. You welcome competition. Understand globalization provides great opportunities.

It is fascinating to me, the people who always talk about this are people who will never be outsourced. The President of the United States is never going to be outsourced. Do you think they are going to move his job to

India? I don't think so—or China or Bangladesh or Sri Lanka or Indonesia? I don't think so.

Our first great purpose is to spread prosperity and opportunity to people in our own land and to the millions of people who have not known it.

How does that fit, spreading prosperity and opportunity by moving American jobs to China and to India?

How does it spread prosperity and opportunity by deciding that a United Arab Emirates country will come and manage American seaports? How does that spread opportunity?

The President says the United States will not give into protectionists and lose these opportunities. So the President, very much like the columnist, Mr. Sebastian Mallaby from the Washington Post, all use the same language. It is code language. They all understand it. It is elitist language: protectionist, building walls, isolationist xenophobes.

We have a trade deficit of some \$720 billion. Every single day, 7 days a week, all year long, we actually import \$2 billion more in goods than we export to the rest of the world. Every single day, 7 days a week, we sell \$2 billion worth of our country to foreigners.

I am not suggesting we shouldn't trade. I believe expanded trade is beneficial. But I am suggesting that we have a backbone, nerve, and a little will to stand up for our country's economic interests.

Can we not tell China, for example, that they can't have a trade relationship with us that has a \$202 billion surplus every year? Last year it was a \$202 billion deficit with China. Do we not have the nerve to say to China trade is mutually beneficial, a two-way street, that is the way we insist on it, and if they are going to sell to us then they are going to buy from us? Don't we have that nerve and will. If not, why not?

The same is true with others, especially Japan. With Japan it has been a couple of decades where we have had very substantial deficits year after year after year. And our country doesn't have the nerve or will to do anything about it.

We still have folks walking around thumbing their suspenders and puffing on their cigars talking about globalization and how wonderful it is. No one ever lost a job to outsourcing—it is just American workers who lose those jobs.

It is not just the jobs that are gone. It is the jobs left here that become priced by the China price—downward pressure on wages, downward pressure on benefits, stripping away retirement benefits and health care benefits. That is what is happening all across this country.

The issue I started talking about—the issue of managing an American port by a United Arab Emirates firm—wouldn't even have been discussed here 20 years ago. It would have been laughed at. Are you kidding me? Are

you really serious? We will have America's ports managed by the United Arab Emirates given the climate we face today?

Twenty years ago, you wouldn't be talking about a \$700-plus billion trade deficit. Things have changed a lot.

We have a President who cheerleads now for that trade strategy despite the evidence—all of the evidence year after year—that this is a bankrupt trade strategy. It is bankrupting this country. It is selling part of America piece by piece of every single day. All of these things relate.

I only wanted to speak briefly—it turned out not to be so briefly—about those who announced to the press or those who talked to the press resulting in news stories last evening that there is a deal in the works; perhaps the United Arab Emirates company could buy an American subsidiary and actually run the ports through a U.S. subsidiary. There is no deal in the works that I am aware of.

I have introduced legislation that would overturn this decision. In one way or another we are going to vote on these things. I believe there are other colleagues who believe the same.

We are going to go vote on these things no matter what kind of deal somebody else comes up with. I think there needs to be a good healthy dose of common sense expressed on some of these issues, and that is certainly lacking on trade, on national security, and on port security.

I hope, perhaps, we can get those before the Senate soon.

I yield the floor.

The PRESIDING OFFICER (Mr. COLEMAN). The Senator from Louisiana.

Mr. VITTER. Mr. President, I ask unanimous consent to speak as if in morning business for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### LOBBY REFORM

Mr. VITTER. Mr. President, I rise today to again address the very important issue of lobby reform and to applaud the efforts of many, particularly the bipartisan working group on which I was proud to serve—coming together and working hard to produce good lobby reform packages that will very soon be on the floor of the Senate.

As I have said since the beginning of this discussion spanning several weeks, in so many ways there is no more important threshold issue to the functioning of our democracy and the health of this institution of Congress than these important reform issues. Clearly, they go to the heart and soul of our integrity and our own credibility.

How can we address any other major national issue, whether it is health care, prescription drugs, foreign policy, or defense unless we have that core, central principle of integrity and credibility with the people?

Unfortunately, we have lost that credibility to some significant extent

over the past years because of some horrible situations and scandals that have developed.

It is very appropriate and very necessary that we act as an institution to address these abuses and potential abuses which we need to stop from happening in the future.

As I said, I was very proud to serve on an informal working group—Republicans and Democrats coming together with this common purpose to address these central questions, to bring real meaningful, strong reform to our institutions, to develop consensus, not to play political partisan games but to develop real consensus and pass important legislation that could have major support on both sides of the aisle.

I very much enjoyed that work with leaders on this issue—Senators COLLINS, LOTT, MCCAIN, SANTORUM, KYL, and ISAKSON—of course, all those Republicans—joined by Senators LIEBERMAN, OBAMA, DODD, and FEINGOLD, Democrats, as well as myself, a Republican, coming together to address this very crucial issue.

We are about to put this legislation on the floor of the Senate, hopefully, very soon, later today. I encourage all of my colleagues—Republicans and Democrats alike—to again come together for an important debate, to make a proposal about how to improve this legislation but to support the underlying bills which include major systemic reform. That is what I am going to do. That is why I joined this working group from the very beginning. That is why I participated in the discussions and debate which led to the bills coming to the floor.

In addition to that, I am going to do what I mentioned a little while ago, participate in the debate on the floor and make some proposals to strengthen the bill, to make it even better before we report it out from the Senate.

In doing that, I am going to make three specific proposals in areas which I think we need to address that are not in the underlying bill. I again want to outline those three proposals very briefly.

The first has to do with an unfortunate scenario which has happened in the past of spouses and children of Members of Congress, House Members, Senators, getting a paycheck off that Member's reelection campaign. This has happened in the past. It is not some theoretical issue. In fact, family members have made substantial sums in the past in some instances off the campaign of the family member who is also a Member of Congress.

I talk to folks back home in Louisiana all the time. When these circumstances made the newspaper a few months ago, I can tell you what the universal reaction was. The universal reaction was this is abuse. There was no discussion about what these family members were doing, weren't doing, what hours they were lobbying, weren't lobbying. The universal reaction was this was a way for the Member of Con-

gress to basically increase his family income through the political process and is an abuse.

I think the solution is really simple. I will have an amendment that proposes that solution. It is simply this: Ban it; to say a Member of Congress, the House, or the Senate can't have a spouse, can't have a dependent child on the campaign payroll. That is the simplest way to address it. That is the most direct way to address it. That will put the whole issue to rest for once and forever.

Certainly, the huge majority of Members should embrace this idea because it would never cross our minds, quite frankly, a huge majority of Members, to do this. Let us put this potential abuse and real abuse in the past to rest forever.

I encourage all of my colleagues, Republicans and Democrats, to support this floor amendment.

The second floor amendment addresses another very important area of campaign finance that has also been in the news; that is, with regard to Indian tribes.

Again, this is not some theoretical discussion. This is not dreaming up a problem. This has been at the heart of the recent scandals and controversies which bring us to where we are today.

In my opinion, a central problem is the fact that in current law Indian tribes, with regard to campaign contributions to Federal candidates, are treated in a whole different way than similar entities such as corporations, such as labor unions.

With regard to corporations and labor unions, there are very clear and very strict laws that apply in terms of how those entities can raise PAC money, campaign funds that they can turn into political contributions and the overall limit that applies to a single corporation—a single labor union with regard to political contributions that election season. Those rules don't apply to Indian tribes.

When it comes to Indian tribes, those rules I just referenced are out the window and basically no rules apply. There is no governance of how tribes collect and raise funds to give to political candidates. In fact, with so many having very lucrative casinos now, what they do is real simple. They write a check out of the casino operation and fund the entire political operation from which they give campaign contributions. Corporations can't do that—absolutely not. Labor unions can't even do that. I think the rules should be the same for Indian tribes.

Likewise, the limits on campaign contributions should be the same as well. There should be an aggregate, an overall limit for what a specific tribe can give to Federal candidates just as there is for corporations through their PACS, just as there is for labor unions through their PACs.

Again, I will offer a floor amendment that is pretty darned simple and pretty easy to understand. It will basically

say those same rules that apply with regard to the sources of funds and disclosure and aggregate limits that apply to corporations and labor unions, those exact same rules will apply in exactly the same way to Indian tribes.

Third and finally, I will propose on the floor another amendment which relates to Members' families and the ability in some circumstances of a Member to increase his family income through involvement in lobby shops by a spouse.

I think it is very important in this instance to distinguish between what I consider two pretty different cases. The one case is where a spouse was a registered lobbyist, a professional with expertise and professional background well before the Member was ever elected to office, or well before the marriage between the Member and the spouse ever occurred. In my mind, that is a very different situation than when a spouse gets into the lobbying business after the Member is elected or after the marriage occurs with a Member already being elected.

In the first case, that spouse was a professional with background and expertise in this area well before the marriage happened or the Member was elected. In the second case, the cart came way before the horse. It is that second case I am concerned about, and it is that second case on which I believe we should pass a blanket ban that such a person shouldn't get into the lobbying business even after the Member was elected.

Again, I think people back home view that sort of case pretty darned simply. It is a way for direct family members to get involved in lobby shops, and through that route directly supplementing that Member's family income.

That absolutely tears at the integrity, at the credibility of our institutions, and I believe we must act to restore that credibility and integrity.

Again, this is not some theoretical discussion. I wish it were. This is not some problem made up out of the blue. This is a practice that has happened before, that has been in the headlines, that has been in the news. So let us address it directly, boldly, and be done with it.

In closing, I thank all of the leaders who came together in the important working group on lobby reform that I mentioned, particularly Senators COLLINS, LOTT, MCCAIN, SANTORUM, KYL, and ISAKSON, and Senators LIEBERMAN, OBAMA, DODD, and FEINGOLD. I worked closely with them. I believe the product we will bring to the Senate very soon, under the leadership of the two committee chairs, Senators COLLINS and LOTT, is a strong, meaningful, worthwhile product.

I hope we all come to this important debate with additional ideas. I hope we add to the bill and improve it, including through the three floor amendments I just outlined, and then report an even stronger and even better bill

out of the Senate to address this crucial issue.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. OBAMA. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. OBAMA. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ETHICS AND LOBBYING REFORM

Mr. OBAMA. Mr. President, I rise today to speak about the ethics and lobbying reform bill we will be considering this week.

Over 100 years ago, at the dawn of the last century, the Industrial Revolution was beginning to take hold in America, creating unimaginable wealth and sprawling metropolises all across the country.

As factories multiplied and profits grew, the winnings of the new economy became more and more concentrated in the hands of a few robber barons, railroad tycoons, and oil magnets. In the cities, power was maintained by a corrupt system of political machines and ward bosses. In the State of New York, there was a young Governor who was determined to give government back to the people.

In his first year, he had already begun antagonizing the State's political machine by attacking its system of favors and corporate giveaways. He signed a workers' compensation bill, and even fired the superintendent of insurance for taking money from the very industry he was supposed to be regulating.

None of this sat too well with New York's powerful party bosses, who finally plotted to get rid of the reform-minded Governor by making sure he was nominated for the Vice Presidency that year.

What no one could have expected is that soon after the election, when President William McKinley was assassinated, the greatest fears of the corrupt machine bosses and power brokers became true when that former Governor became President of the United States and went on to bust trusts, break up monopolies, and return the government to its people.

His name, of course, was Theodore Roosevelt. He was a Republican. Throughout his public life, he demonstrated a willingness to put party and politics aside in order to battle corruption and give people an open, honest government that would fight for their interests and for their values.

I think today we face a similar crisis of corruption and a similar crisis of confidence. I believe we need similar leadership from those in power as well.

The American people are tired of a Washington that is open only to those

with the most cash and the right connections. They are tired of a political process where the vote you cast is not as important as the favors you can do. They are tired of trusting us with their tax dollars when they see them spent on frivolous pet projects and corporate giveaways.

It is not that the games that are played in this town are new or surprising to the public. People are not naive to the existence of corruption. They know that over the years it has worn both a Republican and a Democratic face.

Moreover, the underlying issue of how extensively money influences politics is the "original sin" of everyone who has ever run for office, including me. In order to get elected, we need to raise vast sums of money by meeting and dealing with people who are disproportionately wealthy. This is a problem that predates Jack Abramoff.

So I agree with those on both sides of the aisle who believe we should not let half measures and partisan posturing on campaign finance reform derail our current efforts on ethics and lobbying, but I also think this is an issue and a conversation we are going to have to have in the months to come—the conversation about campaign financing. That is not, however, the topic that is before us this week.

While people know that both parties are vulnerable to these problems, I do not think it is fair to say that the scandals we have seen most recently under the current White House and Congress—both legal and illegal—are entirely predictable or the standard fare. They are worse than most of us could have imagined.

Think about it. In the past several months, we have seen the head of the White House procurement office arrested. We have seen some of our most powerful leaders of both the House and the Senate under Federal investigation. We have seen the indictment of Jack Abramoff and his cronies. And, of course, last week, we saw a Member of Congress sentenced to 8 years in prison for bribery.

Now, there are some in the media who dismiss these scandals by saying: Everybody does it. The truth is that not everybody does it. We should not lump people together—those of us who have to raise funds to run campaigns but do so in a legal and ethical way with those who invite lobbyists into their offices to write bad legislation. Those are not equivalent. And we are not being partisan by pointing that out.

The fact is, since our Federal Government has been controlled by one party, this kind of scandal has become, unfortunately, a regular order of business in this town. For years now, some on the other side of the aisle have openly bragged about stocking K Street lobbying firms with former staffers to increase their power in Washington—a practice that should stop today and never happen again.



But what is truly offensive to the American people about all of this goes far beyond people such as Jack Abramoff. It is bigger than how much time he will spend in jail or how many Members of Congress he ends up turning in. It is bigger even than the K Street project and golf junkets to Scotland and lavish gifts for lawmakers.

What is truly offensive about these scandals is they do not just lead to morally offensive conduct on the part of politicians; they lead to morally offensive legislation that hurts hard-working Americans.

When big oil companies are invited into the White House for secret energy meetings, it is no wonder they end up with billions in tax breaks while most working people struggle to fill up their gas tanks and heat their homes.

When a committee chairman negotiates a Medicare bill one day, and after the bill is passed is negotiating for a job with the drug industry, it is hardly a surprise that industry gets taxpayer-funded giveaways in the same bill that forbids seniors from bargaining for better drug prices.

When the people running Washington are accountable only to the special interests that fund their campaigns, it is not shocking that the American people find their tax dollars being spent with reckless abandon.

I have to point out that since the current administration took office, we have seen the number of registered lobbyists in Washington double. In 2004, over \$2.1 billion was spent lobbying Congress. That amounts to over \$4.8 million per Member of Congress.

How much do you think the American people were able to spend on their Senators or Representatives last year? How much money could the folks back home, who cannot even fill up their gas tanks, spend on lobbying? How much could the seniors forced to choose between their medications and their groceries spend on lobbyists? Not \$4.8 million—not even close.

This is the bigger story here. The American people believe that the well-connected CEOs and hired guns on K Street who have helped write our laws have gotten what they paid for. They got all the tax breaks and loopholes and access they could ever want. But outside this city, the people who cannot afford the high-priced lobbyists and do not want to break the law are wondering: When is it our turn? When will somebody in Washington stand up for me?

We need to answer that call. Because while only some are to blame for the corruption that has plagued this city, we are all responsible for fixing it.

As you know, I am from Chicago, a city that has not always had the most stellar reputation when it comes to politics. But during my first year in the Illinois State Senate, I helped lead the fight to pass Illinois' first ethics reform bill in 25 years. If we can do it in Illinois, we can do something like that here.

But we have to pass a serious bill that has to go a long way toward correcting some of the most egregious offenses of the last few years and preventing future offenses as well. This is not a time for window dressing or putting a Band-Aid on a problem to score some political points. I think this is a time for real reform.

I commend the work the two committees that have dealt with this issue have already put in under the leadership of Senator LOTT and Senator DODD, Senator LIEBERMAN and Senator COLLINS. I want to note that the Honest Leadership and Open Government Act, which was originally sponsored by those of us on this side of the aisle, has 41 cosponsors and, I think, established a good marker for reform. I commend my leader, HARRY REID, and his staff for their hard work in putting it together.

But real reform means making sure that Members of Congress and senior administration officials are dealing with this in as thoughtful and aggressive a fashion as is possible. Let me give you some examples of some provisions that are already in, but also some provisions I would like to see included.

Real reform means making sure that Members of Congress and senior administration officials wait until they leave office before pursuing jobs with industries they are responsible for regulating.

I understand that former Congressman Billy Tauzin has said he was not negotiating for a job with the drug industry at the same time he was negotiating the Medicare bill, but the fact is this: While he was a Member of Congress, he was negotiating for lobbying jobs with not one but two different industries that he was responsible for regulating—the drug industry and the motion picture association.

That is wrong. This should not happen anymore. Real reform means ensuring that a ban on lobbying after Members of Congress leave this office is real and includes behind-the-scenes coordination and supervision of activities now used to skirt the ban. Real reform means giving the public access to now secret conference committee meetings and posting all bills on the Internet at least a day before they are voted on so the public can scrutinize what is in them. Real reform means passing a bill that eliminates all gifts and meals from lobbyists, not just the expensive ones. And real reform has to mean real enforcement because no matter how many new rules we pass, it will mean very little unless we have a system to enforce them.

I commend Senators LIEBERMAN and COLLINS for their efforts to create such an enforcement mechanism through an independent office of public integrity. While this proposal doesn't go quite as far as my proposal for an outside ethics fact-finding commission, it is still very good, and I am looking forward to working with them to try to get it included in the bill that has been marked

up. But to truly earn back the people's trust, to show them we are working for them and looking out for their interests, we have to do more than just pass a good bill this week; we are going to have to fundamentally change the way we do business around here.

That means instead of meetings with lobbyists, it is time to start meeting with the 45 million Americans who don't have any health care. Instead of finding cushy political jobs for unqualified buddies, it is time to start finding good-paying jobs for hard-working Americans trying to raise a family. Instead of hitting up the big firms on K Street, it is time to start visiting the workers on Main Street who wonder how they will send their kids to college or whether their pension is going to be around when they retire.

All these people have done, our constituents, to earn access and gain influence is to cast their ballot. But in this democracy, that is all anyone should have to do.

A century ago that young, reform-minded Governor of New York, who later became our 26th President, gave us words about our country that everyone in this town would do well to listen to today. Here is what Teddy Roosevelt said back then:

No republic can permanently endure when its politics are corrupt and base . . . we can afford to differ on the currency, the tariff, and foreign policy, but we cannot afford to differ on the question of honesty. There is a soul in the community, a soul in the Nation, just exactly as there is a soul in the individual; and exactly as the individual hopelessly mars himself if he lets his conscience be dulled by the constant repetition of unworthy acts, so the Nation will hopelessly blunt the popular conscience if it permits its public men continually to do acts which the Nation in its heart of hearts knows are acts which cast discredit upon our whole public life.

I have come to know the Members of this body and know that the people who serve here are hard-working, thoughtful, and honorable men and women. But the fact is, the entire Congress has been marred and is under a cloud. Our consciences have been dulled by the activity of the few. We have to make certain we are sending a strong signal to the American public that we are no longer going to tolerate that kind of activity, that our conscience has been sharpened, and we are willing to take the steps necessary to restore credibility to this August body.

I hope this week we in the Senate will take the first step towards strengthening this Nation's soul and bringing credit back to our public life. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MARTINEZ). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FRIST. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The majority leader is recognized.

Mr. FRIST. I thank the Chair.

(The remarks of Mr. FRIST pertaining to the introduction of S. 2381 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. FRIST. Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. GRAHAM). Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I see the distinguished majority leader.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. FRIST. For the information of my colleagues, we should have a vote somewhere in 25 minutes or so. Depending on the outcome of that vote, there may be another vote, either a roll call or voice vote, after which we will go back to lobbying reform. I need to talk to the floor managers. I would expect we will not have more rollcall votes after we finish these next two votes shortly. But I do want to talk to the managers. So what I will do is ask unanimous consent which, in essence, will be 20 minutes of debate equally divided and then we should have a rollcall vote. And then I will be talking to the managers about what we will be doing after that tonight. I don't expect rollcall votes after we handle these next two.

I ask unanimous consent that there now be 20 minutes equally divided between Senator SNOWE or her designee and Senator ENSIGN or his designee on the pending second-degree amendment, followed by a vote in relation to the amendment with no intervening action or debate; provided further that immediately after that vote, the Senate proceed to a vote in relation to the underlying Kyl amendment, as amended, if amended, with no further intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FRIST. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ENSIGN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ENSIGN. Mr. President, we are now engaging in a debate over an amendment. The amendment has to do with the LIHEAP proposal that has been brought forth. This first amendment would say to Senators that instead of the original proposal that Senator SNOWE put forward, where 75 percent of the money went through the

contingency fund, 25 percent goes through the regular formula, that now she has brought forward an amendment that would be 50-50, 50 percent through the contingency fund, 50 percent through the regular formula. If we defeat this amendment, the underlying amendment would say 100 percent of the money goes through the regular formula.

Why is that important? It is important because the 50 percent versus the 100 percent going to the regular formula, this is how it breaks down across the country. The red-colored States—this isn't Republican or Democrat, this just happens to be red-colored States in this case—all would get more funding under the underlying amendment, the one where 100 percent of the money goes through the regular formula. The 50-50 or the underlying bill that Senator SNOWE has put forward, basically the white-colored States, 21 of them, would do better under her formula. So it really is a question of fairness. Because the underlying formula in the LIHEAP provisions, the way it is implemented, benefits those 21 States right now. So the first \$2 billion that is spent per year benefits 21 States. That is historically what has happened. And what we are saying is: If you are going to put an additional billion dollars to help low-income people around the country, it should benefit people from all over the country and be more fairly allocated. That is really what the 100 percent of the money going through the regular formula does. It makes it fairer.

Senator SNOWE will make part of her arguments, and we had this discussion at lunch today. She will say that this is an emergency fund. This contingency fund is an emergency fund to be directed toward emergencies. That is not the way it has worked in the past. In the past, it has been divvied out earlier in the year when the cold States need it. And so when the warm States need it for air-conditioning in the summertime—and by the way, they need that air-conditioning, and in many cases it is a life-or-death situation because people can die from heat prostration and that is the real issue—the money is gone because it has been spent out of the contingency fund. That is why the only fair way to do it is to put it through the regular formula, divvy it out through the States. And then low-income people who need either heating or cooling assistance can receive that fairly.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Maine.

Ms. SNOWE. Mr. President, I am offering an amendment that essentially preserves the emergency funding that has been consistently part of the low-income fuel assistance program. I am offering my amendment as a second degree to the Kyl amendment that removes the emergency funding that has been part of this program for the last 5 years. So it would be a marked depart-

ture from historical practice and, unfortunately, a 100-percent appropriation through a formula for low-income fuel assistance would not allow the President to respond to any situation that is clearly an emergency.

Last fall, the President had the discretion, because we had an emergency funding under the legislation, under low-income fuel assistance, that, in fact, was supported by the Senate and the House and the President, and it became law a month ago that basically embraced the approach that we have here today pending before the Senate.

The Senator from Arizona and the Senator from Nevada are suggesting that somehow we no longer need any emergency funding, that we will distribute all of those funds through a specific formula. But we cannot predict where or when that emergency will occur, denying the President the ability to respond to an emergency. Last fall the President had the discretion, because he had this emergency funding, to provide \$14 million to Louisiana, Mississippi, Alabama, and to Florida as a result of the hurricane damage. The President had that capability. That will be removed by the underlying amendment. It simply does not make any sense to say that we should have a formula in the distribution of emergency funding when we don't know where the emergency is going to occur and when. We cannot predict that. That is why the President has it in a contingency fund so in the event that there are such emergencies, we can release that funding. That is what it has always been about.

This is a historical departure from previous precedent, policy, and practice; in fact, a practice and policy that was embraced and endorsed by the Senate and by the House of Representatives and the President a month ago that became law in the Deficit Reduction Act.

I am surprised we are here today to suggest that somehow we should now no longer have emergency funding, no longer have any contingency funding. In fact, the Senator from Nevada says that there is no remaining funding for warm States. I should mention to the Senator from Nevada that the President has set aside \$101 million in fiscal year 2006 emergency funds. This money has not been released. In fact, it is at the disposal of the administration to release in the event that there are potential emergencies this summer, so that there is money. And certainly we can address the concerns of the Senator from Nevada if he feels it is not sufficient.

I, for one, felt we should increase the funding for the low-income fuel assistance program because the real value of this program has eroded over the last two decades. It essentially has the same value as it did in 1983. In 1983, it provided 50 percent of the cost of energy for a family. Today it provides 19 percent. That is not accommodating all the demands, all the people who are on



the list in various States across this country. Thirty-four Governors wrote a letter to the leadership of both the House and Senate saying how they have run out of funds. Even in addition to the significant State contributions for this purpose, they have run out of money. And rightfully so, understanding the cost of energy today. Now some have suggested—and they have suggested it from their positions in Arizona, in Nevada, in Alabama—that it has been a mild winter. But come to Maine and tell us about it being a mild winter. Then add to that the 30- to 50-percent increase in the cost of home heating oil and natural gas, in addition to the increases this last year.

The amendment I am offering today preserves the emergency funding. It provides for the formula funding as supported by the Senator from Nevada which I supported. It has two tiers of funding. One allows for emergencies and the other allows for emergency distributions. I regret that last week there was a chart distributed that misrepresented the distribution of funds. That was for that snapshot in time when there were emergencies so those States benefited from the release of funding because they had emergencies. But if you looked at it the next month, you would have discovered that there would have been a different distribution because we don't know when or where, nor can we possibly predict where, the emergencies will occur.

So the White House supports this approach, supports the emergency funding. It supports the 50-50 distribution in my amendment that I am offering as a second degree to the Kyl amendment which essentially does away with the emergency funding and provides 100 percent through a formula. So any State that requires support from the emergency funds under this program would be denied if such an emergency should arise. I believe my second degree is a positive step in providing additional assistance for those in need of energy assistance this year.

The Secretary of Health and Human Services supports this amendment to advance the funding, the 2007 funds to 2006, in order to provide for this billion dollar increase. We are just advancing the funding. This is budget neutral because there is no net increase in Federal spending. It is important to understand the facts. There is no net increase in Federal funding. We are advancing the billion dollars. We have compromised. We asked for \$2 billion, which is what I thought we agreed to before we adjourned for the Christmas recess on December 23, that we would have a 50-50 percent allocation, 50 percent to emergency, 50 percent to formula.

Here we are today, now having to say: You know, we can't afford the billion dollars because it increases spending, which it does not, and now we decide that we don't need emergency funding for this purpose, and we will allocate all the funding through a for-

mula so that the States that depend upon this money in the event there is an emergency will not be able to have it.

I hope the Senate will support my amendment to the Kyl amendment. My amendment is fair. It is equitable. It is reasonable. This legislation should not be divisive. This isn't regional legislation. It is for all of the country. It is to benefit any region of the country. It is designed to ensure that regardless of where you live in America, if for some reason you have an emergency that affects your ability to have access to natural gas, to propane, to home heating oil, to the need for air-conditioning, for electricity, that this emergency funding will help to mitigate the impact of those disasters. That is what this is all about.

I should add, it is very specific in the mandate in law in terms of how the contingency funds are used and where do these go. I should quote from the law and what it means. It says: To meet the additional home energy assistance needs of one or more States arising from a natural disaster or other emergency. That is why it simply makes no sense to distribute emergency funds through a formula because how do you know who is going to have an emergency? Why would you be distributing money to States that don't have an emergency for that distribution?

That wasn't the attempt of this program. I would hope that we could come to an agreement on this question. At the very least, I would hope that the Senate would endorse my approach, which is a second-degree amendment that preserves the emergency funding and provides for a 50-50 allocation between emergency and formulas. I think that is patently fair to all of the States, all of the regions in this country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. ENSIGN. Mr. President, first of all, I wonder if the Senator from Maine would be willing to answer a question on my time. She says that this is off-set. We have already had this argument, and we lost it. But it would be curious to get an answer to a question I have. You say that it is not going to increase the deficit at all because a billion dollars is taken out of next year's funding. I wonder if the Senator from Maine would be willing to agree not to come back and try to refill that money next year?

In other words, there is \$1 billion taken out next year and she is saying it is deficit neutral. Would the Senator be willing to commit to not going after more money next year?

Ms. SNOWE. I am glad to answer the Senator's question. Obviously, I cannot forecast the future in terms of the extent of the needs that are required by any State. But I remain unchallenged when it comes to my fiscal credentials in the Senate. I have been more than

happy to work with the Senator in terms of meeting our fiscal responsibilities on this issue and on any other question that benefits every State in America. From that standpoint, I would be more than happy to work with the Senator.

Mr. ENSIGN. Reclaiming my time. I will answer the question because I can predict the future because I have seen it here enough. If you watch and learn from the past, you can predict the future. People will be going after this money and probably even more. These kinds of budget games are played all the time.

I wish to make a couple of points to respond to what the Senator from Maine has talked about. First, there is \$183 million in the contingency fund this year, and \$100 million has been spent so far. There is \$83 million left in the contingency fund. She said this is for emergencies—the contingency fund is for emergencies. Well, other than post-Katrina, every other allocation since 2004 from the contingency fund has gone to all 50 States. She says it is only for emergencies. So all 50 States must have had emergencies every year.

That is not what the contingency fund has been. It has gone to every State. Our point is that the contingency fund has not been allocated fairly. I mentioned the \$183 million, and there is \$83 million left for this year's contingency fund. Has anybody noticed that it is all being allocated in the wintertime, so when the warmer weather States need their contingency fund, there won't be any left? That is the point.

She had problems with our numbers the other day. So we redid the numbers. We looked at the last 5 allocations of the contingency fund. As it turns out, in the last 5 allocations, 29 States do worse under her formula than if you adopt the underlying Kyl amendment—29 States. We are going to be passing this chart out to every Senator. The 29 States are the red States on the chart I have here. If you see your State there in red, your Senator should be voting with myself and Senator KYL to more fairly allocate this money that is for LIHEAP.

The allocations that go out for LIHEAP are there for a very noble purpose. All we are asking is, if we are going to spend this money, let's do it fairly. For too long, the formulas have benefitted some States at the expense of others. The Senator from Maine is looking out for her State. I have no problem with her doing that. It is one of the things we are elected to do—to look out for the interests of our States—also the country, but particularly for our home State.

I think the people in my State and the people in the other 28 States that are unfairly treated in the way that she has her amendment drafted deserve fair treatment, and we as Senators should fight for the people in our States.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine is recognized.

Ms. SNOWE. Mr. President, do I have any time remaining?

The PRESIDING OFFICER. There is 40 seconds.

Ms. SNOWE. That is enough to respond.

The Senator from Nevada is incorrect with respect to my amendment and the way in which States it would benefit. Twenty-nine States would gain under my amendment. Unfortunately, the information the Senator is providing is inaccurate, as was the chart distributed last week that fundamentally misrepresented not only how this funding was distributed, but the fact is it was done on the basis of an emergency. If all 50 States had the benefit of the emergency funding, it is because emergencies existed in those States. That is the point. It is at the discretion of the President to distribute and release that funding in order to enable the President to respond immediately to any natural disasters or emergencies. That is what it is all about.

Under a formula for funding, States would receive it irrespective of whether an emergency occurred in their States. So 29 States would gain under my amendment. It is unfortunate that we are where we are, talking about this in that fashion, because the Senator released a chart last week that suggested this is the historical pattern. If it is the historical pattern, it is because there were emergencies. It wasn't distributed just for the sake of distributing it that way. It was done because there were emergencies in those particular States.

Mr. ENSIGN. Mr. President, how much time do I have?

The PRESIDING OFFICER. The Senator has 2 minutes 24 seconds.

Mr. ENSIGN. Mr. President, the Senator from Maine had a problem with the way we did this. It was the Congressional Research Service that did this. She said it was just a spot in time. So we said, OK, let's look at the last 5 allocations historically. How have these funds been allocated? She said 29 States would benefit under her formula. That is correct, 29 States would benefit under her amendment compared to her underlying bill. But 29 States would benefit more with the Kyl amendment than with the Snowe amendment. That is according to data from the Congressional Research Service. That is what we have to go from. That is our expert source we turn to for unbiased information. The chart I have is accurate if the people at the Congressional Research Service have done their jobs right. I have no way of knowing, other than they provide pretty good information to all Senators in a nonpartisan way. To say they are inaccurate—I don't believe that is an accurate statement; I will leave it at that.

To sum this up and close this argument, it is about fairness. The underlying LIHEAP program was set up a long time ago, and it was set up to be

biased toward many of the northern States, especially in the Northeast. The LIHEAP formula is drafted so that when we start adding money in, then it is going to be distributed more fairly to all States for heating and cooling. This is an additional billion dollars. Those other 29 States that are not treated as fairly in the original program need to be treated more fairly.

Whether you are Republican or Democrat, you should look at our charts to find out how your State is treated under the Snowe amendment versus the Kyl amendment. Senators from the 29 States should, I believe, vote against the Snowe amendment, and then support the Kyl amendment.

I yield back the remainder of our time.

Mr. President, have the yeas and nays been ordered?

The PRESIDING OFFICER. No.

Mr. ENSIGN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second. The question is on agreeing to amendment No. 2913.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD) is necessarily absent.

The PRESIDING OFFICER (Mr. CHAMBLISS). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 68, nays 31, as follows:

[Rollcall Vote No. 34 Leg.]

#### YEAS—68

Akaka	Durbin	Mikulski
Alexander	Feingold	Murkowski
Baucus	Feinstein	Murray
Bayh	Frist	Nelson (NE)
Bennett	Grassley	Obama
Biden	Gregg	Pryor
Bingaman	Hagel	Reed
Bond	Harkin	Rockefeller
Boxer	Hatch	Salazar
Burns	Inouye	Santorum
Cantwell	Jeffords	Sarbanes
Carper	Johnson	Schumer
Chafee	Kennedy	Smith
Clinton	Kerry	Snowe
Cochran	Kohl	Specter
Coleman	Landrieu	Stabenow
Collins	Lautenberg	Stevens
Conrad	Leahy	Sununu
Dayton	Levin	Talent
DeWine	Lieberman	Thune
Dodd	Lincoln	Voinovich
Domenici	Lugar	Wyden
Dorgan	Menendez	

#### NAYS—31

Allard	Dole	McConnell
Allen	Ensign	Nelson (FL)
Brownback	Enzi	Reid
Bunning	Graham	Roberts
Burr	Hutchison	Sessions
Chambliss	Inhofe	Shelby
Coburn	Isakson	Thomas
Cornyn	Kyl	Vitter
Craig	Lott	Warner
Crapo	Martinez	
DeMint	McCain	

#### NOT VOTING—1

Byrd

The amendment (No. 2913) was agreed to.

Mr. FRIST. Mr. President, I move to reconsider the vote and move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2899

Mr. FRIST. Mr. President, I understand that we are now prepared to agree to the Kyl first-degree amendment without a rollcall.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, I ask unanimous consent that the amendment be agreed to as amended.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 2899), as amended, was agreed to.

Mr. KYL. May I have just 30 seconds to thank all of those who participated in this debate, including the Senator from Maine and the Senator from Nevada. I think this 50-50 compromise that has been adopted will allow the various States to try to find a way to take care of the folks in their States who need this assistance. I appreciate the efforts of all involved to get it done.

The PRESIDING OFFICER. The majority leader.

AMENDMENT NO. 2898

Mr. FRIST. Mr. President, I now make a point of order that the Inhofe amendment, No. 2898, is not germane.

The PRESIDING OFFICER. The point of order is sustained and the amendment falls.

Mr. OBAMA. Mr. President, I rise today to speak in favor of greater funding for the Low-Income Home Energy Assistance Program, LIHEAP.

As I have traveled around Illinois this winter, I have heard from many low-income families and senior citizens about the burden of rising heating costs. These families are being forced to spend considerable portions of their incomes on gas bills, and many of them simply cannot afford it. Some families are having to keep their thermostats low just so they can buy groceries. It is essential that States have the funding they need through LIHEAP to help these families pay their heating bills during the cold months.

That is why, last year, I joined a number of my Senate colleagues in sending a letter to the chairman of the Senate Budget Committee requesting \$3 billion in funding so that low-income families, disabled individuals, and senior citizens who live on fixed incomes have access to affordable energy when they need it most. We also asked that advance funding be allocated in the budget for LIHEAP. This would allow States to plan more economically in preparing for the winter heating season by purchasing fuels during the spring and summer months. Unfortunately, our request was denied.

Months later, during consideration of the Energy Policy Act of 2005, Congress reauthorized the LIHEAP program from fiscal year 2005 to 2007, providing for a yearly appropriation of \$5.1 billion. However, in the fiscal year 2006 Departments of Labor, Health and Human Services Appropriations Act, Congress provided \$2.2 billion for LIHEAP funding—the same allotment

given to the program in fiscal year 2005. During Senate consideration of several bills in the final weeks of 2005, I voted for a number of amendments providing more funding for LIHEAP, but those amendments were defeated.

Funding for LIHEAP has remained level for the past 20 years, but energy prices are at an all-time high. According to the Department of Energy, DOE, natural gas prices in the Midwest were expected to rise between 69 percent and 77 percent during the winter heating season. The National Energy Assistance Directors Association estimates that for families using natural gas, heating bills would average well over \$1,500 per consumer, an increase of over \$600 per consumer as compared to the winter of 2004–2005. As a result, we have seen an unprecedented rise in requests for LIHEAP assistance across the country. In Illinois, requests in 2005 were up 41.4 percent from the year before. That is nearly a quarter of a million Americans asking for help in my State alone.

I think we often forget how much our working families need this program, and just how heavy the burden of heating one's home can be these days. In a thank-you note to the staff at Illinois LIHEAP, a woman in Lake County, IL, wrote:

Having you help me and my mother this year with our utility bill was a godsend. It was over my head and I didn't know what I was going to do . . . My mother is on oxygen 24-hours a day, and we couldn't be without electricity, so you see it was a matter of life and death also for me.

I commend Senator SNOWE for her tenacity in pushing this legislation, and I commend Senator JACK REED for his longstanding commitment to this issue.

I hope my colleagues will recognize the importance of this problem and support this measure, as well as greater LIHEAP funding in the future. With natural gas prices increasing so severely, more Americans than usual are expected to apply for LIHEAP assistance in paying their heating bills.

Mr. SANTORUM. Mr. President, today I rise to address the rising costs faced by Americans as they try to heat their homes this winter. Obtaining affordable heating assistance each winter, and cooling assistance during the summer months, is critical to hundreds of thousands of Pennsylvanians and millions of Americans. Unfortunately, projections from the Energy Information Administration this January show that on average, consumers will spend nearly 35 percent more for natural gas this winter than they did last winter.

The primary Federal heating assistance program is the Low-Income Home Energy Assistance Program. I represent a Commonwealth that depends heavily on this program. My State also has a high percentage of elderly citizens; they are especially vulnerable to cold winter temperatures. Overall, the Pennsylvania Department of Public Welfare reports that it distributed LIHEAP funds to approximately 462,000

households during the 2004–2005 winter, with 128,000 of these recipients being elderly.

While I am pleased that my Commonwealth ranks second in the Nation in the total Federal LIHEAP assistance distributed, more has to be done to help Pennsylvanians in need. At current funding levels, only 15-percent of LIHEAP-eligible households are served in my home State.

As a member of the Special Committee on Aging, I am pleased that Chairman SMITH has recognized the importance of this program for many low-income senior citizens. This past June, my colleague from Oregon convened a hearing to examine the effect of energy prices on the elderly. However, much has changed across the national energy landscape since that hearing. The tragedies of Hurricanes Katrina and Rita put severe pressure on our energy industries, increasing costs of oil and natural gas. Now that the winter has arrived, the increasing cost of home heating fuel weighs heavily on the minds of the elderly and low-income individuals, and it is time for the Senate to further address this vital issue.

In the beginning of January, I chaired a field hearing for the Special Committee on Aging near my hometown of Pittsburgh, PA, to revisit this critical issue and hear from a variety of witnesses about ways in which the Government and private sector are helping the elderly and others stay warm. Representatives from the Department of Health and Human Services, Department of Energy, Pennsylvania State Department of Public Welfare, and private sector organizations and utilities testified in support of LIHEAP.

The testimony of Pennsylvania State secretary of public welfare Estelle Richman was especially troubling. Secretary Richman testified that, by December 30, 2005, her agency had received over 320,000 LIHEAP applications. This is a 5 percent increase over 2005, which means that over 17,000 additional Pennsylvania households have requested heating assistance already this winter. Furthermore, the Pennsylvania Department of Public Welfare has already seen a 15-percent increase in crisis home heating assistance applications.

Pennsylvania is not alone in facing such difficulties. According to Assistant Secretary for the Administration for Children and Families, Wade Horn, his agency assists nearly 5 million households each year. However, those who are eligible for these benefits far outnumber those who receive this assistance.

As a Senate, we need to address this growing national problem. Each winter, our Government is faced with distributing emergency LIHEAP funds, while millions of Americans are stuck out in the cold. This past year, we tried, in a bipartisan fashion, to appropriate additional funding for LIHEAP. Unfortunately, we were not able to gar-

ner enough support for those provisions to pass.

This year we find ourselves in a worse situation than we did last year. When I travel throughout Pennsylvania, I continually hear from my constituents their concerns about rising energy costs and what we, the Congress, are doing to help. Now we have our chance to provide additional assistance that will benefit millions of Americans in the short term. However, while we need to pass this additional LIHEAP funding, we also need to look toward long-term solutions for our Nation's energy needs.

As we are all aware, there is no one solution to our Nation's energy problems. However, by increasing our domestic supplies and production capacity, we can take steps towards lowering the cost of energy for all Americans. We also need to promote alternative energy solutions that utilize state-of-the-art technological advancements like coal-to-liquid fuel advancements. Without this combination of current and new technologies, the costs faced by consumers at the pump and in their home heating bills will only continue to increase.

While this is clearly a long-term problem that we, as a body, need to address, I am proud to support my colleague from Maine, Senator SNOWE, in her effort to provide additional LIHEAP funding this winter. This measure will assist thousands of Pennsylvanians and millions across the country. For this, as well as the reasons I have cited, I urge my colleagues to support this measure that assists countless senior citizens and low-income Americans.

Mr. KENNEDY. Today's Senate action adding \$1 billion for the Low-Income Home Energy Assistance Program for this winter is a step in the right direction. It is the best we can do, and it deserved to pass. But no one should be under the illusion that we have now provided adequate assistance to millions of struggling families around the country, many of whom are elderly and disabled. The additional \$1 billion is less than half what is needed to fully fund LIHEAP and guarantee the assistance these families need and deserve. A small step is better than no step, but it is still far from meeting the obvious need.

Countless citizens in communities throughout America live year-round in constant fear of power shutoffs because they can't pay their energy bills, and they have no confidence that either Congress or the President is on their side.

According to a report by the National Energy Assistance Directors' Association, since the winter of 2001–2002, the average yearly cost of heating oil has soared from \$627 to \$1474, natural gas from \$465 to \$1000, and propane from \$736 to \$1286. Yet the Republican Congress and the Bush administration continue to ignore the fact that millions of Americans can't afford these steep increases.

Democrats have pressed for months to fund LIHEAP at the authorized level of \$5.1 billion for the current fiscal year. We have urged Congress to act, but the Republican majority has blocked our efforts at every turn, and they continued to try to block our efforts to obtain an additional \$1 billion for the program today. Families are paying a steep price for this neglect. The average LIHEAP grant has decreased by almost 10 percent since 2002 and is now only \$288.

In Massachusetts, the State government has provided \$20 million in additional funds for LIHEAP this year.

Low-income families are more fortunate in our State than in most other States on this issue, but we have exhausted all Federal funds, and need is still great. Even the poorest households with the highest bills will get no more than \$840—less than half what is needed to get through the winter.

As Self Help, a community action program in Avon, MA, “Many of our clients have exhausted their benefits . . . The bottom line is that we need some kind of relief, as quickly as possible.”

ABCD, a community action agency in Boston, reports that as of January 17, the number of applicants applying for fuel assistance for the first time increased by 26 percent. Its clients are currently exhausting all of their fuel assistance benefits. Even a benefit of \$765 buys only one tank of oil at today’s price of \$2.40 per gallon, when at least two or three tankfuls are needed to get through the winter, and no other source of funding is available.

These aren’t just numbers. They represent real people facing real hardships.

For example, an elderly couple lives in a modest home on the outskirts of Haverhill and both receive Social Security benefits. Their home is heated with oil, and they use an old woodstove in the basement to supplement their steam boiler. Their \$525 LIHEAP grant covered one delivery of 256 gallons of oil in late November. Attempting to cut wood for the woodstove, the husband fell from a ladder and was injured. If LIHEAP had been funded fairly, his injury could have been prevented. With this bill, the chances are 50–50 that his injury could have been prevented. We could have done better, and we should have done better. It is wrong to let people like this suffer.

Mr. LEAHY. Mr. President, I join Senator SNOWE and others in supporting this legislation to provide additional funding for the Low-Income Home Energy Assistance Program, LIHEAP.

This legislation will shift the \$1 billion in fiscal year 2007 funding, which we recently enacted in the budget reconciliation bill, to the current fiscal year, so it can be used this winter. Providing these needed funds in this way is not the best approach to get this done, but with Vermonters facing record heating bills and no other choices

available to us at this crucial juncture, we cannot allow the perfect to be the enemy of the good. The fact is the burden of record heating prices this winter could financially wipe out many families and elderly Vermonters. No family in our Nation should be forced to choose between heating their home and putting food on the table for their children. No older American should have to decide between buying life-saving prescriptions or paying utility bills. Unfortunately, these stark choices are a reality for too many Vermonters and for too many other Americans across the Nation.

This legislation will bring the total funding available for LIHEAP in fiscal year 2006 up to nearly \$3 billion. Certainly more is needed. That is why I have voted four times to increase LIHEAP funding to \$5.1 billion. Bipartisan amendments offered to the Department of Defense appropriations bill, the Transportation, Treasury, and HUD Appropriations bill, the Labor, Health and Human Services, and Education Appropriations bill, and the tax reconciliation bill received a majority of the Senate’s support. Unfortunately, the majority party would not allow these amendments the opportunity for straight up-or-down votes, and we were blocked from securing these needed supplements for LIHEAP in our earlier efforts.

The Energy Information Agency forecasts that households heating with natural gas will experience an average increase of 35 percent over last winter. Households heating with oil will see an increase of 23 percent, and households using propane can expect an increase of 17 percent. Compounding these difficulties for families needing this help, wages are not keeping pace with inflation. The Real Earnings report by the Bureau of Labor Statistics shows that the average hourly earnings of production and nonsupervisory workers on private nonfarm payrolls were lower in December 2005 than they were a year ago, after accounting for inflation. Working families are continuing to lose ground, meaning more families also need LIHEAP assistance this year. Paychecks are being stretched thinner as families face higher prices for home heating, for health care, and for education. Vermont families and seniors need this relief from high energy costs, and they need it now.

As I have said, this is not my preferred approach to providing LIHEAP funding, but Vermonters cannot wait for a better option. This help is needed now. I call on the leadership in the House of Representatives and on President Bush to support this legislation and to ensure its immediate enactment. I also urge the administration to join the bipartisan majority in Congress to replenish LIHEAP funding for next winter.

Mr. FRIST. Mr. President, I believe we are ready to proceed to passage. That will not require a rollcall.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The question is on the passage of the bill.

The bill (S. 2320), as amended, was passed, as follows:

S. 2320

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. FUNDS FOR LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM.

Section 9001 of the Deficit Reduction Act of 2005 is amended—

(1) in subsection (a)—

(A) by striking “for a 1-time only obligation and expenditure”;

(B) in paragraph (1), by striking “\$250,000,000 for fiscal year 2007” and inserting “\$500,000,000 for fiscal year 2006”; and

(C) in paragraph (2), by striking “\$750,000,000 for fiscal year 2007” and inserting “\$500,000,000 for fiscal year 2006”;

(2) by redesignating subsection (b) as subsection (c);

(3) by inserting after subsection (a) the following:

“(b) LIMITATION.—None of the funds made available under this section may be used for the planning and administering described in section 2605(b)(9) of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8624(b)(9)).”; and

(4) in subsection (c) (as redesignated by paragraph (2)), by striking “September 30, 2007” and inserting “September 30, 2006”.

Mr. FRIST. Mr. President, first I want to thank my colleagues for their cooperation in bringing to a resolution what has been more difficult than I thought it would be, addressing the LIHEAP issue.

We have achieved passage, and we are now ready to resume the lobbying measure.

I know Senator REID is prepared to lay down his amendment tonight. Senators will be able to debate that amendment tonight, and we will set a vote on the Democratic leader’s amendment sometime tomorrow morning.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. THUNE). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. FRIST. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MORNING BUSINESS

Mr. FRIST. I ask unanimous consent there now be a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.